

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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UNITED STATES OF AMERICA

- against -

ORDER OF JUDICIAL REMOVAL

DAVID ORTIZ VILLAMIZAR

19 Cr. 840 (GHW)

Defendant.

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Upon the application of the United States of America, by Cecilia Vogel, Assistant United States Attorney, Southern District of New York; upon the Factual Allegations in Support of Judicial Removal; upon the consent of DAVID ORTIZ VILLAMIZAR, and upon all prior proceedings and submissions in this matter; and full consideration having been given to the matter set forth herein, the Court finds:

1. The defendant is not a citizen or national of the United States.
2. The defendant is a native and a citizen of Colombia.
3. On April 28, 2022, the defendant was extradited from Colombia and paroled into the United States at Newark International Airport, Newark, New Jersey on or about April 28, 2022.
4. At the time of sentencing in the instant criminal proceeding, the defendant will be convicted in the United States District Court, Southern District of New York, under Count One of the Indictment, charging the defendant with conspiracy to operate an unlicensed money transmission business from at least in or about June 2018, through in or about 2019, in violation

of Title 18 United States Code Section 371. Further, in the defendant's plea agreement, he admitted to the forfeiture allegation with respect to Count One of the Indictment and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), a sum of money equal to \$60,110 in United States currency, representing property involved in the offense charged in Count One (the "Money Judgment").

5. The maximum sentence for this violation is five years' imprisonment.

6. The defendant is, and at sentencing will be, subject to removal from the United States pursuant to Section 212(a)(2)(A)(i)(I) of the Immigration and Nationality Act of 1952 ("INA"), as amended, 8 U.S.C. § 1182(a)(2)(A)(i)(I), as an alien who has been convicted of a crime involving moral turpitude (other than a purely political offense) or an attempt or conspiracy to commit such a crime.

7. The defendant has waived his right to notice and a hearing under Section 238(c) of the INA, 8 U.S.C. § 1228(c).

8. The defendant has waived the opportunity to pursue any and all forms of relief and protection from removal.

9. The defendant has designated Colombia as the country for removal pursuant to Section 240(d) of the Act, 8 U.S.C. § 1229a(d).

WHEREFORE, IT IS HEREBY ORDERED, pursuant to Section 238(c) of the INA, 8 U.S.C. § 1228(c), that the defendant shall be removed from the United States promptly upon his release from confinement, or, if the defendant is not sentenced to a term of imprisonment, promptly upon his sentencing, and that the defendant be ordered removed to Colombia.

Dated: New York, New York
July 21, 2022


THE HONORABLE GREGORY H. WOODS
UNITED STATES DISTRICT COURT JUDGE